



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 31, 2014

BY ECF

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
New York, New York 10007

Re: *United States v. Araujo, et al.*, 13 Cr. 811 (ALC)

Dear Judge Carter:

We write concerning the status of the incarcerated defendants' access to discovery, pursuant to the Court's order. We are advised that the inmates at MCC are able to receive approximately 10-13 hours in the law library digital discovery room per week. The inmates will be sent back to their units if they are caught doing anything other than reviewing their hard drive during the allotted time period. Thus far, at least two of the defendants have been warned to return to their discovery review. With respect to MDC, because of the physical layout of the Education Department, normally each inmate is permitted 2.5 hours' access per week. Upon request, the MDC inmates are being permitted to double that amount of time; they are able to attend the morning and afternoon session for their unit's day, so long as they request the second session from the unit officer.

Two inmates are in the SHU at MCC. This week, we received blank hard drives from the defendants' discovery coordination counsel, and we are making copies for the SHU at each facility. I am advised that the BOP has not received any additional CDs or DVDs from counsel for the inmates to review within their units. As discussed at the last status conference, discs can be sent to each inmate individually for his review, thereby maximizing his access to discovery.

We are not aware of any current access problems and intend to work with defense counsel to ensure that the defendants have meaningful access to discovery so they can continue to determine whether to accept dispositions or proceed to trial.

Respectfully submitted,

PREET BHARARA
United States Attorney

by: s/ Jason Masimore _____
Jason A. Masimore
Russell Capone
Assistant United States Attorneys

cc: All counsel (by ECF)